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FM AMEMBASSY CARACAS

TO RUEHC/SECSTATE WASHDC IMMEDIATE 3108
INFO RUEHXQ/EU MEM COLLECTIVE IMMEDIATE
RUEHBO/AMEMBASSY BOGOTA IMMEDIATE 5975
RUEHBR/AMEMBASSY BRASILIA IMMEDIATE 5167
RUEHLP/AMEMBASSY LA PAZ IMMEDIATE 1643
RUEHPE/AMEMBASSY LIMA IMMEDIATE 9846
RUEHMU/AMEMBASSY MANAGUA IMMEDIATE 0962
RUEHME/AMEMBASSY MEXICO IMMEDIATE 3569
RUEHOT/AMEMBASSY OTTAWA IMMEDIATE 0565
RUEHQQT/AMEMBASSY QUITO IMMEDIATE 1715
RUEHROV/AMEMBASSY VATICAN IMMEDIATE
RUEHVVI/AMEMBASSY VIENNA IMMEDIATE 0055
RUEHAO/AMCONSUL CURACAO IMMEDIATE 0585
RUEHGL/AMCONSUL GUAYAQUIL IMMEDIATE 0282
RUMIAAA/HQ USSOUTHCOM MIAMI FL IMMEDIATE
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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000339

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E.O. 12958: DECL: 02/03/2021

TAGS: PGOV PHUM KDEM VE

SUBJECT: SUMATE DIRECTORS HARASSED, FACING POSSIBLE
DETENTION

REF: CARACAS 00298

Classified By: Mark Wells, Acting Polcouns,
for Reason 1.4(b).

¶1. (C) SUMMARY. The case of four directors of Sumate accused of conspiracy for having accepted a US\$30,000-grant from National Endowment for Democracy (NED) entered a dramatic new phase on February 7 when, after months of delays, a Caracas judge initiated the trial. In the clearly orchestrated proceeding, prosecutors immediately moved for pre-trial detention of Maria Corina Machado and Alejandro Plaz, and sought restricted travel measures against another. The judge promised to respond to the detention requests on February 14 when the trial resumes. Poloff attended the trial as an observer, though representation from other embassies was poor and appears to be waning. Separately, on February 8, another Sumate representative was temporarily detained by Venezuelan naval intelligence when summoned to a meeting with a person who claimed to have information about the Sumate case. We judge this to be an obvious signal that the Bolivarian Republic of Venezuela (BRV) intends to link the Sumate case to that of the recently expelled U.S. Naval Attaché. These developments signal an intention by President Hugo Chavez, anxious to prove U.S. complicity in plotting with the Venezuelan opposition, to strike a blow against Sumate and our interests in Venezuela. End summary.

Judge Launches Show Trial, Moves to Detain Accused

¶2. (C) Three of Sumate's leaders -- Maria Corina Machado, Alejandro Plaz, and Ricardo Estevez -- appeared at the pre-arranged court date on February 7. (The fourth accused person, Luis Enrique Palacios, has not appeared at any proceedings and is believed to be in the United States.) The hearing itself appeared carefully orchestrated by the judge in coordination with the prosecution. The prosecution laid out its accusations against the electoral watchdog group,

accusing Machado of using NED funds to bring about the 2004 presidential recall referendum, Plaz of knowingly aiding and abetting Machado, and Estevez of implementing the group's plans. The prosecution sought a prison sentence of 23 years for Machado, while the others face shorter sentences. Prosecutors then moved for the pre-trial detention of Machado and Plaz and travel restrictions for Estevez. (Note: A Supreme Court ruling last year directed that the accused should not be incarcerated during the trial.) After a brief recess, the trial was postponed until February 14, at which time the judge reportedly will decide on the detention motions.

International Interest Flagging

¶13. (C) Post is monitoring the trial closely and sends a Poloff to each proceeding as an international observer. At the February 7 hearing, the embassies of Belgium and Greece sent observers on behalf of the EU mission, and Canada was also in attendance. For the second time, Austria did not send representation in its role as EU President. Over the last several trial dates, Post has noted a lack of enthusiasm on the part of the Europeans to observe the trial. On several occasions, EU embassies have not bothered to send Emboffs, sending non-accredited local hires to observe in their place. The Austrian Embassy has not been proactive in its role as EU President in coordinating EU observation of Sumate's trial, and other EU members have told us that the Austrian Ambassador is trying to beg off of her responsibility to appoint EU trial observers on a rotating

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basis, arguing instead that observation should be voluntary. International NGOs have not been a presence at the trial. The Canadians continue to register their interest but note difficulties in staffing the trial sessions. We agreed to call the Canadian, who appeared reasonably quickly, once the trial seemed to be going forward.

Naval Intelligence Briefly Detains Another Sumate Rep

¶14. (C) Separately, On the evening of February 8, Roberto Abdul, another Sumate director with close Embassy contacts, was briefly detained by Venezuelan naval intelligence agents at the home of a supposed member of Primero Justicia (PJ). According to e-mail messages received by Emboffs, and the readout Machado and Plaz gave to Amb and DCM on February 9, the PJ official (named "Ignacio" but no further information) contacted Machado repeatedly on February 8 and insisted he had information pertinent to her case that he needed to convey urgently. Machado asked Abdul to cover the meeting. As Abdul arrived at the house, more than a dozen heavily armed naval intelligence officials, including naval prosecutors, surrounded his car and said they were investigating "Ignacio" for involvement in the espionage case that led to the recent expulsion of the U.S. Naval Attaché. The agents were reportedly courteous to Abdul and said he was being briefly held as a material witness; he was released after a couple of hours. (Comment: Abdul had, in fact, met with the U.S. Naval Attaché twice in recent years, the last time more than one year ago. The fact that Ignacio had sought a meeting with Machado, and that it was she who selected Abdul to go in her place, suggests the BRV was not aware of the link. Nevertheless, it is a clear indication that the BRV is trying to link the Sumate and espionage cases.)

Comment

¶15. (C) The BRV has significantly ramped up efforts against

Sumate. It is likely at least two of them will face detention as early as next week. Show trials in Venezuela are typically short, which means the BRV could hand down stiff sentences within days. Septel offers suggestions, based on consultations with Sumate, on what Post and the Department might do to drum up international support for the NGO.

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